

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
JONESBORO DIVISION**

**SAKIMA IBAN SALIH EL BEY**

**PLAINTIFF**

**v.**

**No. 3:19-cv-53-DPM**

**JOHNSON, Officer, West Memphis  
Police Department; MCELROY,  
Officer, West Memphis Police  
Department; WEST MEMPHIS  
POLICE DEPARTMENT; ARKANSAS,  
STATE OF; ASA HUTCHINSON; and  
DOES, Congress of Arkansas House of  
Representatives and Congress of Arkansas  
Senate**

**DEFENDANTS**

**ORDER**

1. El Bey's motion to proceed *in forma pauperis*, No 1, is granted. He can't afford the filing fee.

2. The Court must screen El Bey's complaint. 28 U.S.C. § 1915(e)(2). El Bey sues under 42 U.S.C. § 1983, saying he was wrongfully arrested by two West Memphis police officers and the vehicle he was driving was towed. No 2 at 2. El Bey pleads that he's "Consul General of 'Consulate Moorish Xi Anu Chakchiuma' headquartered in Memphis, Tennessee"; he was on a peace mission when he was stopped and arrested for driving recklessly without a license; and the West Memphis officers therefore violated the

Constitution, the Declaration of Independence, and Executive Order 13774 by ignoring his consular credentials and exercising jurisdiction over him. *No 2 at 10*.

El Bey's complaint fails to state a claim. 28 U.S.C. § 1915(e)(2)(B)(ii). He hasn't pleaded sufficient facts to plausibly show that he's entitled to any kind of diplomatic immunity against enforcement of generally applicable traffic laws. The United States Department of State does not recognize "Moorish Xi Anu Chakchiuma" as a nation or similar sovereign entity.\* As pleaded, El Bey's allegations of some sort of diplomatic immunity are fanciful. *Denton v. Hernandez*, 504 U.S. 25, 32-33 (1992).

So Ordered.

D.P. Marshall Jr.  
D.P. Marshall Jr.  
United States District Judge

27 March 2019

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\* INDEPENDENT STATES IN THE WORLD, U.S. DEPARTMENT OF STATE, <https://www.state.gov/s/inr/rls/4250.htm> (last visited 27 March 2019)